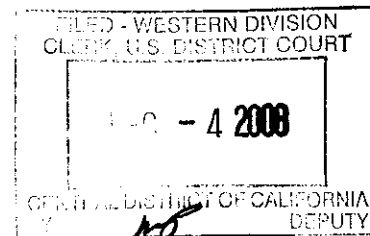


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14 Attorneys for Defendant Veolia Transportation Services, Inc.

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

SONYA WILLIAMS, individually, and  
on behalf of other members of the general  
public similarly situated,

Plaintiff,

vs.

VEOLIA TRANSPORTATION  
SERVICES, INC., a Maryland  
Corporation; and DOES 1 through 10,  
inclusive,

Defendants.

CARMEN HITA, on behalf of herself,  
and all others similarly situated and the  
General Public,

Plaintiff,

vs.

VEOLIA TRANSPORTATION  
SERVICES, INC., a Maryland  
Corporation; and DOES 1 through 10,  
inclusive,

Defendants.

Case Nos.: CV08-02582 GW(AGR<sub>x</sub>)  
and CV08-4282 GW (AGR<sub>x</sub>)

**CLASS ACTION**

**~~PROPOSED~~ PROTECTIVE  
ORDER RE: DISCLOSURE OF  
PUTATIVE CLASS MEMBERS'  
IDENTITIES**

**Hearing on Motion for Class  
Certification:**

Date: January 29, 2009

Time: 8:30 a.m.

Before: Honorable George H. Wu  
Courtroom: 10

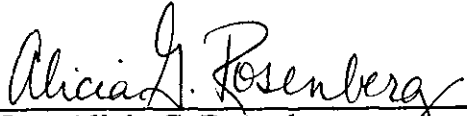
Consolidated Class Action  
Complaint filed: September 29, 2008

1 The parties to the above-captioned action having entered into a Joint  
2 Stipulation re: Disclosure of Putative Class Members' Identities dated November  
3 13, 2008 ("Stipulation"), an executed copy of which is attached hereto as Exhibit A,  
4 and the Court having considered the Stipulation, good cause appearing,

5 IT IS ORDERED that the Joint Stipulation re: Disclosure of Putative Class  
6 Members' Identities shall be and the same is hereby approved and adopted as Order  
7 of the Court.

8 **IT IS SO ORDERED.**

9  
10 Dated: December 4, 2008

  
Hon. Alicia G. Rosenberg  
Magistrate Judge of the United States  
District Court, Central District of  
California

# EXHIBIT A

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10 Attorneys for Defendant Veolia Transportation Services, Inc.

11 **UNITED STATES DISTRICT COURT**  
 12 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

13 SONYA WILLIAMS, individually, and  
 14 on behalf of other members of the general  
 public similarly situated,

15 Plaintiff,

16 vs.

17 VEOLIA TRANSPORTATION  
 18 SERVICES, INC., a Maryland  
 Corporation; and DOES 1 through 10,  
 inclusive,

19 Defendants.

20  
 21 CARMEN HITA, on behalf of herself,  
 22 and all others similarly situated and the  
 General Public,

23 Plaintiff,

24 vs.

25 VEOLIA TRANSPORTATION  
 26 SERVICES, INC., a Maryland  
 Corporation; and DOES 1 through 10,  
 inclusive,

27 Defendants.  
 28

Case Nos.: CV 08-02582 GW  
 (AGRx)  
 and CV 08-4282 GW (AGRx)

**CLASS ACTION**

**JOINT STIPULATION RE:  
 DISCLOSURE OF PUTATIVE  
 CLASS MEMBERS'  
 IDENTITIES**

**Hearing on Motion for Class  
 Certification:**

Date: January 29, 2009

Time: 8:30 a.m.

Before: Honorable George H. Wu  
 Courtroom: 10

Consolidated Class Action  
 Complaint filed: September 29,  
 2008

1       **THIS STIPULATION** is hereby entered into by and between Defendant  
2 Veolia Transportation Services, Inc. (Veolia) and Plaintiffs Sonya Williams  
3 (Williams) and Carmen Hita (Hita) (Hita and Williams are collectively referred to as  
4 the "Plaintiffs") who have brought this suit on an individual basis, and on the behalf  
5 of others similarly situated. (Veolia, on the one hand, and Williams and Hita, on the  
6 other hand, are collectively referred to herein as the "Parties.")

7       **WHEREAS**, the Parties enter into this Stipulation to resolve, in part, a  
8 discovery dispute that has arisen between them.

9       **WHEREAS**, on August 11, 2008, Williams served on Veolia, Interrogatory  
10 No. 1, which seeks the identities and contact information of prospective class  
11 members in this matter, as follows:

12               Identify (by stating the full name, last known address,  
13               telephone number and dates of employment) each and every  
14               person employed by YOU (as used herein, the terms "YOU",  
15               "YOUR", OR "YOURS" means and/or refers to Defendant  
16               VEOLIA TRANSPORTATION SERVICES, INC. and its  
17               present and former officers, directors, managing agents,  
18               employees, parent corporation, subsidiaries, and/or affiliates,  
19               attorneys, investigators and all person who are acting or have  
20               acted on YOUR behalf) as a non-exempt employee within the  
21               State of California from 4/18/04 until present, who are not  
22               class members or a part of: Amalgamated Transit Union Local  
23               1309 v. ATCNancom, Inc., San Jose Div., Case No.  
24               107CV077987 (Cal. Super. Ct., Santa Clara County, filed  
25               January 10, 2007).

26       **WHEREAS**, on September 9, 2008, Veolia served Williams with objections  
27 to Interrogatory No. 1, on the following bases:

- 28       • Vague and ambiguous;
- Compound and conjunctive;
- Violation of privacy rights;
- Relevancy and overbroad and unduly burdensome; and

1       • An inability to meet Rule 23's requirements in order to justify  
2 class-wide discovery.

3       **WHEREAS**, the Parties met and conferred on October 19, 2008 and on  
4 October 30, 2008, and have, in good faith, agreed to narrow the issues related to this  
5 dispute and enter into this Stipulation accordingly.

6       **WHEREAS**, Plaintiffs agree to limit Interrogatory No. 1 by striking certain  
7 portions of the interrogatory, as follows:

8  
9               Identify (by stating the full name, last known address, [and]  
10              telephone number ~~and dates of employment~~) each and every  
11              person employed by ~~YOU (as used herein, the terms "YOU",~~  
12              ~~"YOUR", OR "YOURS" means and/or refers to~~ Defendant  
13              VEOLIA TRANSPORTATION SERVICES, INC. and its  
14              ~~present and former officers, directors, managing agents,~~  
15              ~~employees, parent corporation, subsidiaries, and/or affiliates,~~  
16              ~~attorneys, investigators and all person who are acting or have~~  
17              ~~acted on YOUR behalf~~) as a non-exempt employee within the  
18              State of California from the date of four years from the filing  
19              of the amended complaint until present, who are not class  
20              members or a part of: Amalgamated Transit Union Local 1309  
21              v. ATCNancom, Inc., San Jose Div., Case No. 107CV077987  
22              (Cal. Super. Ct., Santa Clara County, filed January 10, 2007).

19       **WHEREAS**, in exchange for limiting Interrogatory No. 1 as indicated in the  
20 preceding paragraph, Veolia agrees to withdraw, and hereby does withdraw, its  
21 "vague and ambiguous" objections, "unduly burdensome" objection, and its  
22 "compound and conjunctive" objections.

23       **WHEREAS**, with respect to Veolia's objections based upon privacy, the  
24 Parties acknowledge that Veolia maintains an obligation to keep the contact  
25 information of its past and current employees private.

26       **WHEREAS**, Veolia has agreed to turn over the full name, last known  
27 address and telephone numbers of all non-exempt bus drivers who worked on the  
28



- 1 Antelope Valley Transit Authority Contract for Veolia from April 18, 2004 until  
2 present, subject to the following safeguards, procedures and conditions (Veolia's  
3 bus drivers employed on its contract with the Antelope Valley Transit Authority  
4 from April 18, 2004 until present shall be referred to as the "AVTA Bus Drivers,"  
5 and the identities and contact information, as described in this paragraph, of the  
6 AVTA Bus Drivers shall be referred to "AVTA Bus Driver Contact Information"):
- 7       A.     Veolia shall provide the AVTA Bus Driver Contact Information to  
8             Simpluris, a third-party administrator, within 7 court days after entry  
9             of this Order by the Court;
- 10       B.     Prior to providing said information to Simpluris, it must agree in  
11             writing that it will not disclose the AVTA Bus Driver Contact  
12             Information to any person, including Plaintiffs' counsel, and shall  
13             otherwise keep the AVTA Bus Driver Contact Information  
14             confidential, subject to disclosure to Plaintiffs' counsel, only as  
15             described herein;
- 16       C.     Within 3 calendar days after receipt of the AVTA Bus Diver Contact  
17             Information, Simpluris shall perform a search for updated addresses  
18             through a reasonable means of obtaining such addresses;
- 19       D.     Within 7 calendar days after receipt of the AVTA Bus Driver Contact  
20             Information, Simpluris shall send each AVTA Bus Driver a notice  
21             advising them of the lawsuit and providing them with an opportunity  
22             to opt-out from the disclosure of their identities and contact  
23             information to Hita and Williams' counsel;
- 24       E.     The form of notice is agreed upon by the Parties and attached hereto  
25             as Exhibit "A" (Notice), and the form of the opt-out postcard is agreed  
26             upon by the Parties and attached hereto as Exhibit "B" (Opt-out  
27             Postcard).
- 28       F.     AVTA Bus Drivers receiving Exhibit A may object to the disclosure

1 of their identities and contact information by sending an Opt-out  
2 Postcard (Exhibit B), which will be marked with pre-paid postage to  
3 Simpluris, within 18 days from the date on which Simpluris mails the  
4 Notice to the AVTA Bus Drivers. An Opt-out Postcard shall be  
5 timely if it is postmarked within 18 days from the date on which  
6 Simpluris mails the Notice to the AVTA Bus Drivers;

7 G. AVTA Bus Drivers who do not send in an Opt-out Postcard  
8 postmarked within 18 days of the sending of the Notice will be  
9 presumed to have consented to providing their identities and contact  
10 information to Plaintiffs;

11 H. After 22 days of sending out the Notice, Simpluris shall use its best  
12 efforts to transmit to Plaintiffs' counsel the AVTA Bus Driver Contact  
13 Information for those AVTA Bus Drivers who have not returned an  
14 Opt-out Postcard that is postmarked within 18 days from the date on  
15 which Simpluris mails the Notice;

16 I. Plaintiffs' counsel shall be responsible for all costs of Simpluris'  
17 mailing and administration of the Notice and Opt-out Postcard; and,

18 J. Veolia will not in any way discourage the AVTA Bus Drivers, from  
19 communicating with the attorneys for Williams or Hita.

20 K. Plaintiffs' counsel agrees to safely maintain any private information  
21 that it receives from Simpluris and to use it solely for the purpose of  
22 investigating the claims alleged in the Consolidated Complaint, by its  
23 attorneys, investigators or experts. Plaintiffs' counsel also agrees not  
24 to disclose any AVTA Bus Driver Contact Information to any  
25 individual plaintiff or putative class member, and not to contact  
26 putative class members while they are at work.

27 **WHEREAS**, because it is the Parties' intent to limit the scope of a discovery  
28 dispute related to Interrogatory No. 1, this Stipulation shall not be construed as an

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KABATECK ET AL

PAGE 02/02

1 admission or concession that this matter is certifiable as a class action in any  
2 manner or that any claim alleged in this matter has any merit. Additionally, this  
3 Stipulation is not intended to fully resolve all disputes concerning Interrogatory No.  
4 1, and the Parties enter into this Stipulation without prejudice to file or oppose a  
5 motion to compel and without prejudice to any objections that Veolia has raised to  
6 the disclosure of contact information for any putative class members outside of the  
7 scope of this stipulation.

8 WHEREAS, this Stipulation may be amended without leave of Court by the  
9 written agreement of counsel for the Parties to this agreement and any pertinent  
10 third parties in the form of an amended stipulation.

11 IT IS SO STIPULATED.

12  
13 Dated: November 13, 2008

INITIATIVE LEGAL GROUP, L LP

14  
15 By: 

Matthew Theriault

Dina Livhits

Attorneys for Plaintiff Sonya

Williams

16  
17  
18  
19 Dated: November 13, 2008

KABATECK BROWN KELLNER  
LLP

Brian S. Kabateck

Richard L. Kellner

Joshua H. Haffner

Lina B. Melidonian

20  
21  
22  
23  
24 By: 

Lina B. Melidonian

Attorneys for Plaintiff Carmen Hita

1 Dated: November 14, 2008  
2  
3

GLEASON & FAVAROTE LLP

By: 

Paul M. Gleason  
Torey J. Favarote  
Richard Y. Chen  
Attorneys for Veolia  
Transportation Services, Inc.

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# EXHIBIT A

**Sonya Williams and Carmen Hita v. Veolia Transportation Services, Inc**  
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CASE NOS. CV 08-02582 GW (AGRx) and CV 08-4282 GW (AGRx)

**NOTICE OF REQUEST FOR PRIVATE CONTACT INFORMATION**

John Doe  
1234 Anywhere St., Apt. 1234  
Los Angeles, CA 12345

A lawsuit has been filed seeking alleged: (1) wages not paid upon termination; (2) failure to pay wages; (3) denial of meal periods; (4) denial of rest periods; (5) improper wage statements; (6) failure to pay minimum wages; (7) failure to pay overtime wages, and (8) violation of the California Business & Professions Code §17200 *et seq.* on behalf of current and former hourly employees of Veolia Transportation Services, Inc (the "Defendant") in California. The former employees bringing the case (the "Plaintiffs") are seeking to contact potential class members in order to gather information about the case. **If you do not return the enclosed postcard, your private contact information will be provided to the Plaintiffs' attorneys.**

**IF YOU DO NOT WANT YOUR CONTACT INFORMATION PROVIDED TO THE PLAINTIFFS' ATTORNEYS, YOU MUST SIGN AND POSTMARK THE ENCLOSED POSTCARD ON OR BEFORE \_\_\_\_\_ (WHICH IS 18 DAYS FROM THE DATE OF MAILING OF THIS NOTICE).**

Whether or not you return the enclosed postcard will not affect your rights. Whether or not you choose to return the enclosed postcard will not affect your employment with Defendant in any way.

If you have questions about this notice, you may seek independent legal counsel, or you may contact any of the following attorneys representing the parties:

**Plaintiffs' Attorneys**

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Dina Livhits  
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Attorneys for Plaintiff CARMEN HITA

## **EXHIBIT B**



**Sonya Williams and Carmen Hita v. Veolia Transportation Services, Inc**  
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CASE NOS. CV 08-02582 GW (AGRx) and CV 08-4282 GW (AGRx)

**IF YOU DO NOT WANT YOUR NAME, HOME ADDRESS AND TELEPHONE NUMBER  
DISCLOSED TO THE PLAINTIFF'S ATTORNEYS, THIS POSTCARD MUST BE  
SIGNED AND RETURNED ON OR BEFORE [DATE \_\_\_\_], 2008.**

By signing below, I certify under penalty of perjury that I wish to preserve my right to privacy and  
DO NOT want my name, home address and home telephone number disclosed to the Plaintiff's attorneys.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**TO BE EFFECTIVE, PLEASE RETURN THIS POSTCARD TO:**  
Sonya Williams and Carmen Hita v. Veolia Transportation Services, Inc  
NOTICE ADMINISTRATOR,  
C/O SIMPLURIS, INC.  
3176 PULLMAN ST STE 123  
COSTA MESA, CA 92926-9906

**POSTMARKED ON OR BEFORE [DATE \_\_\_\_], 2008**

---

**[FRONT AND BACK VIEWS OF MODEL OPT-OUT POSTCARD]**



POSTAGE WILL BE PAID BY ADDRESSEE

Williams, et al v. Veolia Transportation Services, Inc

**SIMPLURIS INC  
3176 PULLMAN ST STE 123  
COSTA MESA CA 92626-9906**

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



**PROOF OF SERVICE**

UNITED STATES DISTRICT COURT }  
CENTRAL DISTRICT OF CALIFORNIA } ss

I am employed in the County of Los Angeles. I declare that I am over the age of eighteen (18) and not a party to this action. My business address is: Initiative Legal Group LLP, 1800 Century Park East, 2<sup>nd</sup> Floor, Los Angeles, California 90067.

On December 4, 2008, I served the within document(s) described below as:

**[PROPOSED] PROTECTIVE ORDER RE: DISCLOSURE OF PUTATIVE CLASS MEMBER'S IDENTITIES**

on the interested parties in this action by placing true copies thereon enclosed in a sealed envelope addressed as follows:

**PLEASE SEE ATTACHED SERVICE LIST**

- (X) **CM/ECF SYSTEM:** I caused the above-referenced documents(s) to be sent by electronic transmittal to the Clerk's Office using the CM/ECF System for filing which generated a Notice of Electronic Filing to the CM/ECF registrants in the case.
- (X) **MAIL:** I deposited such envelope in the mail at Los Angeles, California. The envelopes were mailed with postage thereon fully prepaid.
- ( ) **OVERNIGHT COURIER:** I caused the above-referenced document(s) to be delivered to an overnight courier service (Federal Express), for delivery to the above addressee(s).
- ( ) **FACSIMILE:** I caused the above-referenced document(s) to be transmitted to the above-named person at the telephone numbers above.
- ( ) **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (X) **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

**EXECUTED** this document on December 4, 2008, at Los Angeles, California.

  
Matthew Krout

**SERVICE LIST**

**Case No: CV08-02582 GW (AGR<sub>x</sub>)**

**Case No.: CV08-4282 GW (AGR<sub>x</sub>)**

**Paul M. Gleason  
Torey J. Favarote  
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Janet S. Yavrouian  
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800 West Sixth Street, Suite 1010  
Los Angeles, CA 90017  
Attorney s for Defendant  
Veolia Transportation Services, Inc.  
*Via CM/ECF & U.S. Mail***

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Jeffrey K. Berns  
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Counsel for Plaintiff  
Carmen Hita  
*Via CM/ECF & U.S. Mail***

**Brian S. Kabateck  
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644 South Figueroa St.  
Los Angeles, CA 90017  
Co-Counsel for Plaintiff  
Carmen Hita  
*Via U.S. Mail Only***